

## LABOR SERVICES DIVISION[875]

### Notice of Intended Action

#### **Proposing rule making related to boiler and pressure vessel codes and providing an opportunity for public comment**

The Boiler and Pressure Vessel Board hereby proposes to amend Chapter 90, “Administration of the Boiler and Pressure Vessel Program,” and Chapter 91, “General Requirements for All Objects,” Iowa Administrative Code.

#### *Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code section 89.14.

#### *State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code chapter 89.

#### *Purpose and Summary*

These proposed amendments adopt by reference the most recent versions of national consensus codes pertaining to boilers and pressure vessels. The proposed adoption of new codes is due to significant changes regarding the design, manufacture, installation, and inspection requirements. Due to the quantity and wide range of the revisions, please contact the Division of Labor Services with any specific questions about the revisions.

#### *Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa.

#### *Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

#### *Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 875—Chapter 81.

#### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on February 5, 2020. Comments should be directed to:

Kathleen Uehling  
Division of Labor Services  
150 Des Moines Street  
Des Moines, Iowa 50309-0209  
Email: [kathleen.uehling@iwd.iowa.gov](mailto:kathleen.uehling@iwd.iowa.gov)

#### *Public Hearing*

If requested, a public hearing at which persons may present their views orally or in writing will be held as follows:

February 5, 2020  
9 a.m.

150 Des Moines Street  
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

*Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subrule 90.6(1) as follows:

**90.6(1) General.** All boilers and unfired steam pressure vessels covered by Iowa Code chapter 89 shall be inspected according to the requirements of the National Board Inspection Code ~~(2015)~~ [\(2019\)](#), which is hereby adopted by reference. A division inspector or special inspector must perform the inspections.

ITEM 2. Amend subrule 91.1(1) as follows:

**91.1(1) ASME boiler and pressure vessel codes adopted by reference.** The ASME Boiler and Pressure Vessel Code ~~(2017)~~ [\(2019\)](#) is adopted by reference. Regulated objects shall be designed and constructed in accordance with the ASME Boiler and Pressure Vessel Code ~~(2017)~~ [\(2019\)](#) except for objects that meet one of the following criteria:

- a. An object with an ASME stamp and National Board Registration that establish compliance with an earlier version of the ASME Boiler and Pressure Vessel Code;
- b. A miniature boiler installed before March 31, 1967;
- c. A power boiler or unfired steam pressure vessel installed before July 4, 1951; or
- d. A steam heating boiler, hot water heating boiler, or hot water supply boiler installed before July 1, 1960.

ITEM 3. Amend subrules 91.1(3) to 91.1(6) as follows:

**91.1(3) Inspection code adopted by reference.** The National Board Inspection Code ~~(2017)~~ [\(2019\)](#) is adopted by reference, and reinstallations, installations, alterations, and repairs after ~~September 1, 2018~~ [April 15, 2020](#), shall comply with it.

**91.1(4) Electric code adopted by reference.** The National Electrical Code ~~(2017)~~ [\(2020\)](#) is adopted by reference, and reinstallations and installations after ~~September 1, 2018~~ [April 15, 2020](#), shall comply with it.

**91.1(5) Piping codes adopted by reference.** The Power Piping Code, ASME B31.1 ~~(2016)~~ [\(2018\)](#), and the Building Services Piping Code, ASME B31.9 (2017), are adopted by reference, and reinstallations and installations after ~~September 1, 2018~~ [April 15, 2020](#), shall comply with them up to and including the first valve.

**91.1(6) Control and safety device code adopted by reference.** Controls and Safety Devices for Automatically Fired Boilers (CSD-1) ~~(2015)~~ [\(2018\)](#) is adopted by reference, and reinstallations and installations after ~~September 1, 2018~~ [April 15, 2020](#), shall comply with it. Reporting requirements concerning CSD-1 are set forth at rule 875—90.11(89).

ITEM 4. Amend subrules 91.1(10) and 91.1(11) as follows:

**91.1(10)** *Liquefied petroleum gas code adopted by reference.* National Fire Protection Association Liquefied Petroleum Gas Code, NFPA 58 ~~(2017)~~ (2020), is adopted by reference, and installations and reinstallations after ~~September 1, 2018~~ April 15, 2020, shall comply with it.

**91.1(11)** *Boiler and combustion systems hazards code adopted by reference.* National Fire Protection Association Boiler and Combustion Systems Hazards Code, NFPA 85 ~~(2015)~~ (2019), is adopted by reference, and installations and reinstallations after ~~April 1, 2016~~ April 15, 2020, shall comply with it.